

REMARKS

Claims 1-32 have been cancelled and claims 33-53 have been added to better represent the claimed invention. No new matter has been added, and support for the added claims is found throughout the specification.

In the Final Office Action dated January 31, 2003, for the parent application App. No. 09/535,427 (hereinafter referred to as Office Action), the Examiner rejected claims containing similar limitations to the newly added claims of the present application. The Examiner rationalized the rejection by stating that "even though the Kasama et al. polarizing beam splitter is a "prism-type" as stated by the Applicant, such polarizing beam splitter can be a plate-type (i.e. a smooth flat thin polarizing beam splitter) as well." Office Action, page 3. Examiner based this rejection on a definition of "plate-type" found in *Merriam Webster's Collegiate Dictionary* (10th ed., Merriam-Webster, Inc. 1997).

Applicants would like to take this opportunity to recognize the Federal Circuit caution against the use of non-scientific dictionaries that may misconstrue the true meaning of a technical claim term as understood by one skilled in the art. *Multiform Desiccants, Inc. v. Medzam, Ltd.*, 133 F.3d 1473, 1478 (Fed.Cir.1998).

A technical dictionary definition of "prism" is "a transparent optical element having at least two polished faces inclined relative to each other, from which light is reflected or through which light is refracted." The Photonics Directory, www.photonics.com (emphasis added). This definition is incongruent even with the lay definition of plate, i.e.

"a smooth flat thin piece of material" relied on in the Office Action. Office Action, page 3
(emphasis added).

Applicants respectfully submit that claims 33-53, with their attending limitations as understood by one skilled in the art and further clarified with reference to the accompanying specification, present patentable subject matter.

Resultantly Applicants respectfully request prompt allowance of such claims.

Please charge any shortages and credit any overages to our Deposit Account No. 500393.

Respectfully submitted,
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